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NO. 4697 P. 1

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Art Group 1631 U.S. Patent and Trademark Office		(703) 872-9307

From :	Richard San Pietro
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Sender's Direct Dial :	858.847.6717
Date :	October 9, 2003
App. Serial Number :	09/372,474
Client/Matter No :	025098-0701
User ID No :	0079

**RESPONSE UNDER 37 C.F.R. § 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 1631**If there are any problems with this transmission or if you have not  
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Atty. Dkt. No. 025098-0701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: BAIRD et al.  
Title: DESIGN, SYNTHESIS AND USE  
OF SPECIFIC POLYAMIDE DNA-  
BINDING LIGANDS  
Appl. No.: 09/372,474  
Filing Date: 08/11/1999  
Examiner: A. Marschel  
Art Unit: 1631

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. (703.872.8307)  <u>Line Gauthier</u> (Printed Name)  <u><i>Line Gauthier</i></u> (Signature)  <u>October 9, 2003</u> (Date of Deposit)
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Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing in the above application are the following:

- 1) Notice of Appeal in Duplicate (4 pages); and
- 2) Amendment (8 pages).

The Commissioner is hereby authorized to charge the \$110.00 extension fee and any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: Oct. 9, 2003

Respectfully submitted,

FOLEY & LARDNER  
Customer Number: 30542

**30542**

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6700  
Facsimile: (858) 792-6773

By *Richard San Pietro*

Richard San Pietro  
Attorney for Applicant  
Registration No. 45,071

Atty. Dkt. No. 025098-0701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: BAIRD et al.  
Title: DESIGN, SYNTHESIS AND USE  
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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated July 9, 2003, and the Advisory Action dated , of the Examiner finally rejecting Claims 1, 38, and 42-45.

- ☒ [ X ] Applicant claims small entity status.
- ☐ [ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ [ X ] Notice of Appeal Fee
- ☒ [ X ] To be paid as detailed below
- ☐ [ ] Not required (Fee paid in prior appeal)

Atty. Dkt. No. 025098-0701

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$330.00
<input type="checkbox"/>	Extension month:	\$0.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$330.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):	\$165.00
	TOTAL FEE:	\$165.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$165.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$165.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: Oct. 9, 2003

Respectfully submitted,

FOLEY & LARDNER

Customer Number: 30542



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By

Richard San Pietro

Richard San Pietro  
Attorney for Applicant  
Registration No. 45,071